

REMARKS

Claims 9, 10 and 13 are pending in the application. Claims 1-8, 11, 12 and 14-18 have been previously withdrawn.

Claims 9, 10 and 13 have been rejected under 35 USC § 112, first paragraph, for failing to comply with the written description requirement. The Examiner mentions that there is no support in the specification as originally filed for the recitation of “with serum proteins other than IgG”. In this regard, the Applicants submit that claim 9 has been amended to delete the expression “with serum proteins other than IgG”, thus rendering the Examiner’s rejection moot. Reconsideration and withdrawal of the Examiner’s rejection are earnestly solicited.

Claims 9, 10 and 13 have been rejected under 35 USC § 102(b) as being anticipated by Bourel *et al.* as evidenced by Bruley-Rosset *et al.* The Examiner states that Bourel *et al.* disclose purified autoantibodies isolated from IVIg, wherein said autoantibodies bind DNP-Lysine and do not bind IgG. Further, the Examiner alleges that Bourel *et al.* disclose a composition of said antibodies and a pharmaceutically acceptable carrier. The Examiner is also of the opinion that it is an inherent property of said antibodies that they bind to cytokines (as supported in Bruley-Rosset *et al.*). In this regard, the Applicants wish to respectfully submit that the present application discloses the use of a heterogeneous mixture of serum proteins other than IgG that allows the purification of autoantibodies from therapeutic IVIg (see paragraph [0005], [0007], [0030] and [0031] of the present description). Accordingly, the autoantibodies claimed herein are qualitatively different from those disclosed in Bourel *et al.*

Enclosed herewith is a Declaration by Dr. Réal Lemieux demonstrating that the polyreactivity profiles of IVIg purified on serum proteins (other than IgG), as described in the present application, and of IVIg purified on DNP affinity columns, as disclosed in Bourel *et al.*, are qualitatively different. As shown in Figure 1 of the Declaration, the two preparations show distinct polyreactivity patterns. Differences are particularly obvious for actin and ferritin. This result, produced according to the teaching of the present invention, clearly proves that one skilled in the art would acknowledge that the polyreactivity profiles of IVIg purified on serum proteins (other than IgG) and of IVIg purified on DNP affinity columns are qualitatively different.

Accordingly, it is believed that claims 9, 10 and 13 of the present application are not anticipated by Bourel *et al.* Reconsideration and withdrawal of the Examiner's rejection are earnestly solicited.

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. Early and favorable action is requested

Respectfully Submitted,

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/Stephen R. Duly/
David S. Resnick (Reg. No.34,235)
Stephen R. Duly (Reg. No. 56,183)
Nixon Peabody LLP
100 Summer Street
Boston, MA 0 2110
6147-345-6057 / 1270

Enc.: - Declaration
-Petition for Extension of time
-Request for Continued Examination